

On April 27, 1934, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 67 packages of Seven Barks at Chicago, Ill., alleging that the article had been shipped in interstate commerce, on or about February 26, 1934, by Lyman Brown, from New York, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of extracts of plant drugs dissolved and suspended in dilute acetic acid. It contained not more than a trace, if any, of alcohol.

It was alleged in the libel that the article was misbranded in that the statement on the bottle label, "7¾% of Alcohol is contained in this preparation", and the statement on the carton, "Alcohol 7¾ Per Cent", were false and misleading, since the article contained not more than a trace, if any, of alcohol. Misbranding was alleged for the further reason that the following statements in the labeling, regarding the curative or therapeutic effects of the article, were false and fraudulent: (Carton) "Dyspepsia, Indigestion, Rheumatism", (bottle) "Dyspepsia, Rheumatism and Diseases of the Liver & Kidneys."

On June 8, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

22972. Misbranding of Dr. Fenner's Golden Relief. U. S. v. 94 Packages of Dr. Fenner's Golden Relief. Default decree of condemnation and destruction. (F. & D. no. 32589. Sample no. 68027-A.)

Examination of the drug preparation involved in this case showed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On April 23, 1934, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 94 packages of Dr. Fenner's Golden Relief at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about February 22, 1934, by S. C. Wells & Co., from LeRoy, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of guaiac, myrrh, red pepper extract, ammonia, chloroform, ether, volatile oils including camphor, turpentine oil and sassafras oil, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, regarding the curative or therapeutic effects of the article, were false and fraudulent: (Carton) "Internally For Colic and Diarrhea Caused by Wrong Eating. Externally * * * For Muscular congestion or cramps, stiff * * * muscles, due to exertion, exposure or fatigue"; (bottle) "To Relieve Inflammation and Pain * * * deep seated inflammation or pain, apply Golden Relief full strength"; (circular) "Directions For Internal Use To relieve Stomach Pains, Cramps, Colic, Summer Complaint, Diarrhoea;—One to two teaspoonfuls in twice the quantity of sweetened water. Reduce dose for children. For Common Sore Throat and Canker Sores.—Gargle or wash frequently with one tablespoonful to four or six parts of water sweetened. If glands are swollen apply externally full strength. * * * Fevers.—Two teaspoonfuls in sweetened water every hour for several hours until a good sweat is started. For Horse or Mule Colic.—A two ounce bottle in a quart of water and drench. Repeat in fifteen minutes if animal is not better. For Scours in Calves.—One tablespoonful to four of water every hour for three times, then three times a day if necessary. Externally Backache or Lumbago. Rub * * * Stiff Joints, Neuritis, with Golden Relief and apply a cloth well saturated with Relief. Repeat in three hours if necessary. * * * Apply full strength, or as strong as can be borne. Repeat until relieved."

On June 4, 1934, no claimant having appeared for the property, judgment of condemnation was entered and it ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*